

**INLAND WETLANDS AGENCY
MEETING MINUTES**

JANUARY 24, 2005

PRESENT: Ken Braga, Sanford Cohen, Kim Flannery, Margo Wheeler, Adam Barber and Alternates Christine Murphy and Steven Hoffman

ABSENT: Donald McConnell and Alternate Jean Burns

STAFF

PRESENT: Matt Davis, Town Planner, Kristin Michaud, Recording Secretary

I. CALL TO ORDER:

Chairman Braga called the Inland Wetlands Agency (IWA) meeting to order at 7:30 PM at the Ellington Town Hall Annex, 57 Main Street, Ellington, CT.

II. PUBLIC COMMENTS: NONE

III. PUBLIC HEARINGS:

1. #IW200440 – Valley Farms for a wetland delineation map amendment on property located at West Road, APN 037-003-0000.

PER THE APPLICANTS REQUEST, THIS APPLICATION WAS WITHDRAWN

IV. UNFINISHED BUSINESS:

1. #IW200443 – Douglas & Cathy Pinard for a Permit to Conduct Regulated Activity within an Area of Influence to construct a 38' x 30' garage and 10' x 30' lean to on property located at 65 Sandy Beach Road, APN 151-005-0001.

Cathy Pinard came forward for the application. She explained that the previous permit had expired.

MOVED (MURPHY), SECONDED (BARBER) AND PASSED UNANIMOUSLY TO APPROVE #IW200443 – DOUGLAS & CATHY PINARD.

2. #IW200446 – Naek Construction for a Permit to Conduct Regulated Activity within an Area of Influence to clear and fill in 100' regulated area on property located at 26 Birch View Drive, APN 119-004-0015.

Chairman Braga explained that the builders are coming in too often to change plans on single lots.

Amir Shak, Naek Construction, came forward for the applicant. He explained the plan and why they needed to move the driveway.

K. Flannery noted that grading and paving had increased within the upland review area. Mr. Davis noted that one future option would be to defer approval of lot development when acting on a subdivision, but that would require re-submittal. Also, the change to the regulations (administrative review in upland review area) would probably allow these types of changes to be approved without commission review. The general consensus was to continue with current practices and handle each request for changes on a case-by-case basis.

MOVED (COHEN), SECONDED (BARBER) AND PASSED UNANIMOUSLY TO APPROVE #IW200446 – NAEK CONSTRUCTION.

3. #IW200444 - Dzen Brothers, Inc. for a Permit to Conduct Regulated Activity within an Area of Influence for drainage facilities in conjunction with the proposed expansion of an existing retail facility on property located at 187 Windsorville Road & 8 Pinney Street, APN 009-041-0000, 009-042-0000.

The planner noted that this had been reviewed at the last meeting and was held over. The Town Engineer has reviewed the plan and issued his approval.

MOVED (FLANNERY), SECONDED (WHEELER) AND PASSED (S. COHEN RECUSED) TO APPROVE #IW200444 – DZEN BROTHERS, INC.

4. Discussion—Status of Wetland Violation Resolution, Bruce Luginbuhl, 34 Ludwig Road.

The commission reviewed Jim Thompson's memo of 1/7/05 and M. Davis memo of 1/24/05. The as built is under review and language for the conservation easement is also under review (received 1/24/05). The commission agreed that \$1,500 should be retained to ensure final stabilization in the Spring.

MOVED (WHEELER), SECONDED (FLANNERY) AND APPROVED UNANIMOUSLY TO REDUCE BOND FROM \$12,000 TO \$1,500 IN ACCORDANCE WITH JIM THOMPSON'S MEMO DATED JANUARY 7, 2005.

5. #IW200448 – Michael Duprey for a Permit to Conduct Regulated Activity within an Area of Influence for an addition and deck on property located at 25 Brockway Road, APN 102-026-0001.

Michael Duprey came forward for the application. He explained the project to the commission. There are no grade changes and the deck will be on piers. The work will be at least 80' to the wetlands, much of which is lawn.

MOVED (BARBER), SECONDED (COHEN) AND PASSED UNANIMOUSLY TO APPROVE #IW200448 – MICHAEL DUPREY.

V. NEW BUSINESS:

1. #IW200501 – Capstone Builders, Inc. for a Permit to Conduct Regulated Activity within an Area of Influence for an 8-lot subdivision on property located at 14 South Road, APN 111-008-0000.

Chairman Braga read NCHD letter dated January 25, 2005 into the record.

Marc Peterson, Gardner & Peterson came forward for the applicant. He reviewed the plan with the commission.

John Ianni, Soil Scientist, explained where the wetlands were located on the parcel. He also explained that there has been a pond on the site since 1985. The planner noted that the Conservation Commission has not reviewed the plan and suggested the applicant attend its 1/25/05 meeting.

BY CONSENSUS, THE AGENCY DECIDED TO HOLD A PUBLIC HEARING IN THE PUBLIC INTEREST FOR #IW200501 & SCHEDULED THE HEARING FOR THE FEBRUARY 14, 2005 MEETING.

2. #IW200502 – Antonio Sabatini for a Permit to Conduct Regulated Activity within an Area of Influence to expand parking lot on property located at 192 Windsorville Road, APN 009-066-0000.

Mark Hoffman, Landmark Surveys came forward to explain the plan to the commission. He showed where more pavement has been added within the 100' area of influence.

The chair noted that the storm water basin was not built as required and according to the Town Engineer is well under capacity. The commission requested the planner consult with the engineer and Vernon to see if there were any other options available in terms of storm water design.

VI. ADMINISTRATIVE BUSINESS:

1. Budget Preparations FY 05-06.

The commission agreed to propose a budget generally consistent with past requests and reflecting funding necessary for basic operations.

2. Discussion: Request for preliminary meeting – ARCHZ on Windermere Ave.

Mr. Jay Fisher was present on behalf of the development and reviewed the proposed concept plan with the commission. The plan shows 133 units on 40 acres, or roughly the equivalent density of the "Chasseral" mutli-family project adjacent to the South. (1/3 acres)

Members had various suggestions including the possibility of reducing development within the area of influence to the Inland Wetland on the North East portion of the site. The applicant will appear before the Conservation Commission on 1/25/05 seeking their input on the open space concept.

3. Preliminary Review of proposed Newell Hill Road Subdivision.

Pat Gorman presented the preliminary concept, showing 22 lots on 70 acres, with 25 acres of open space. Provisions to treat storm water and to connect to adjacent undeveloped land to the West are proposed. The commission had questions as to storm water, blasting, potable water supply and other concerns. The chair requested that technical information be provided with the formal application and the Town Planner noted that should include a detailed pre-post functional/qualitative analysis of the seep area/storm water basin.

4. Acceptance of Ordinance Codification Index.

BY CONSENSUS, THE MEMBERS UNANIMOUSLY AGREED TO ACCEPT THE ORDINANCE CODIFICATION INDEX EXCLUDING REFERENCES TO THE CONSERVATION COMMISSION.

5. Executive Session: Discussion regarding active litigation.

BY CONSENSUS THE COMMISSION TABLED THIS ITEM TO THE FEBRUARY 14, 2005 MEETING

6. Approval of the December 20, 2004 meeting minutes.

MOVED (FLANNERY), SECONDED (WHEELER) AND PASSED (S. COHEN – ABSTAINED) UNANIMOUSLY TO APPROVE THE DECEMBER 20, 2004 MEETING MINUTES.

7. Correspondence:

- a. CBA Education & Training/Planning & Zoning Class.
- b. CRCOG 2005 Legislative Agenda
- c. Memo to PZC from Matt Davis dated, 12/17/04.
- d. Memo to Land Use Commissions from Matt Davis dated, 12/21/04.
- e. Letter to Matt Davis from Michael Agranoff dated, 12/16/04.
- f. Memo to Jim Thompson from Matt Davis dated, 12/28/04.
- g. Memo to Inland Wetland Agency from Matt Davis dated, 12/29/04.
- h. Letter to Kement & Sons Construction from Matt Davis dated, 12/28/04.

THE COMMISSION DIRECTED THE PLANNER TO CONTACT MR. KEMENT REGARDING HIS INTENTIONS, DUE TO LACK OF RESPONSES.

- i. The Habitat, Fall 2004.
- j. Memo to Agencies from Dennis Milanovich dated, 1/07/05.
- k. Municipal Management Bulletin dated, 1-6-05.

VII. ADJOURNMENT:

MOVED (MURPHY), SECONDED (FLANNERY) AND PASSED UNANIMOUSLY TO ADJOURN THE MEETING AT 9:00 P.M.

Respectfully Submitted,

Kristin Michaud
Recording Secretary